



Entered on Docket
November 03, 2010

A handwritten signature in cursive script, appearing to read "Bruce A. Markell".

Hon. Bruce A. Markell
United States Bankruptcy Judge

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**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEVADA**

In re:

LAS VEGAS MONORAIL COMPANY,

Debtor.

Case No.: BK-S-10-10464-BAM
Chapter 11

Date: October 12, 2010
Time: 11:00 a.m.

**ORDER APPROVING DEBTOR'S SECOND MOTION FOR AN ORDER EXTENDING
THE EXCLUSIVE PERIODS TO FILE ITS PLAN OF REORGANIZATION
AND SECURE ACCEPTANCE OF ITS PLAN OF REORGANIZATION
PURSUANT TO 11 U.S.C. § 1121(d)**

The Debtor's Second Motion for an Order Extending the Exclusive Periods to File its Plan of Reorganization and Secure Acceptance of its Plan of Reorganization Pursuant To 11 U.S.C. § 1121(d) (the "Motion") [ECF No. 582] filed by Gordon Silver on behalf of Debtor, Las Vegas Monorail Company, was heard and considered by the above-captioned Court on October 12, 2010 at 11:00 a.m. All appearances are noted in the Court's record of the proceedings. The

1 Court read the Motion and the documents and other papers submitted in support thereof [ECF
 2 Nos. 583, 596 - 597]. The Court also read and considered the *Response to Debtor's Second*
 3 *Motion for an Order Extending the Exclusive Periods to File its Plan of Reorganization and*
 4 *Secure Acceptance of its Plan of Reorganization Pursuant To 11 U.S.C. § 1121(D)*[ECF No.
 5 588]. The Court entertained the argument of counsel. The Court stated its findings of fact and
 6 conclusions of law on the record at the hearing, which are incorporated herein by reference in
 7 accordance with Fed. R. Civ. P. 52(a), made applicable pursuant to Fed. R. Bankr. P. 9014(c)
 8 and 7052. Good cause appearing therefore,


9 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:**

- 10 1. Pursuant to 11 U.S.C. §§ 1121(d), the Motion is granted on the terms set forth
 11 herein.
- 12 2. The period in which Debtor has the exclusive right to file its plan of
 13 reorganization for an additional time period of up to an including **October 18,**
 14 **2010;** and
- 15 3. The 180-day period for securing acceptance of the plan is extended by an
 16 additional time period of up to and including **February 1, 2011.**
- 17 4. The Motion, this Order and the consent to the relief granted herein by counsel for
 18 the Majority of the 1st Tier Bondholders ("1st Tier Bondholders") will have no
 19 effect on the legal standards (including the burden of proof) governing the
 20 pending motion by the 1st Tier Bondholders and their indenture trustee's *Motion*
 21 *Of The Indenture Trustee and Majority Tier Bondholders for an Order*
 22 *Terminating Exclusivity* [ECF No. 554].
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 24
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26 **[Signatures on following page]**
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 28

1 PREPARED AND SUBMITTED:
2 GORDON SILVER

APPROVED/DISAPPROVED:
LEWIS & ROCA LLP

3
4 By: 
5 WILLIAM M. NOALL, ESQ.
6 3960 Howard Hughes Pkwy., 9th Floor
7 Las Vegas, Nevada 89169
8 Attorneys for Debtor

By: No Response
SUSAN FREEMAN, ESQ.
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Attorneys for Wells Fargo Bank, N.A., as 1st
Tier Trustee

9 ~~APPROVED/DISAPPROVED:~~
10 KRAMER LEVIN NAFTALIS & FRANKEL

11 By: /s/ Jennifer Sharret
12 JENNIFER SHARRET, ESQ.
13 1177 Avenue of the Americas
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15 Attorneys for Majority 1st Tier Bondholders

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25 *[Signatures to: Order Approving Debtor's Second Motion for an Order Extending the*
26 *Exclusive Periods to File its Plan of Reorganization and Secure Acceptance of its Plan of*
27 *Reorganization Pursuant To 11 U.S.C. § 1121(d)]*
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LR 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies as follows:

☒ The Court waived the requirement of approval under LR 9021 except for the attorneys listed below:

Jennifer Sharret (KRAMER LEVIN NAFTALIS & FRANKEL)
Susan Freeman (LEWIS & ROCA)

☐ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond as indicated above.

☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated above.

☐ I have certified that I have served a copy of this order with the motion, and no parties appeared or filed written objections.

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